

## Topic: The legal system

<b>Lesson: For or against the death penalty</b>	<b>KS or Year Group: KS 3</b>
<b>Resources:</b> <ol style="list-style-type: none"><li>1. SKY video</li><li>2. Five signs – For, Against, Undecided, Strongly For, Strongly Against.</li><li>3. Resource 1 – Death penalty scenarios</li><li>4. Resource 2 - Student recording sheet</li><li>5. Resource 3 - Death penalty homework</li></ol>	<b>Outcomes:</b> <ul style="list-style-type: none"><li>• Students learn about a human rights issue.</li><li>• Students learn about a crime and punishment issue.</li><li>• Students consider their own opinions.</li></ul>

### National Curriculum

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Key Concepts: 1.1b, 1.2b, 1.2c

Key Processes: 2.1a, 2.2a, 2.2b, 2.2c

Range and Content: 3a, 3b

Curriculum Opportunities: 4a, 4h

### Lesson

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Begin the lesson by watching the **SKY video**, then having a brief discussion about the case. The subsequent activity is based on the 'corners' game. Students will need to move around the room (it would work well in a hall).

### Starter

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The room needs to be labelled with the five viewpoints. Ask students to move to the corner which reflects their views on the death penalty. Ask a sample from each area why they picked the viewpoint they have affiliated themselves with. This may lead to a short discussion.

### Main activity

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#### Activity 1:

- Use **Resource 1: Death penalty scenarios** to play the corners game.

## For or against the death penalty

- Present each scenario in turn to the class and then allow them to move to the area that best reflects their view.
- Students could also record their views in **Resource 2: Student recording sheet** in order that they have notes for use in the future. You can ask students to record how many other students share their view. This could then be used for numeracy tasks such as graphs and other data based work.

### Activity 2:

- Remove the 'undecided' view point and present a scenario again, thus forcing students to decide between the four remaining viewpoints.
- You can even go so far as to remove two others, such as Strongly Against and Against, thus forcing students to decide between For and Strongly For.

## Plenary

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Briefly recap each scenario and the outcome given by the class (mostly agreed / for, or mostly disagreed / against). The class should compile a list of the reasons for and against the death penalty. Ask students to consider their learning and to make a final choice: are they for or against the death penalty?

### Aim high

Using the website sources listed in the **Check the web** section, students can make a list of countries which are for and against the death penalty and learn about worldwide trends in the use of capital punishment.

### Assessment

Homework assessment piece: ask the student to read both quotes and write a piece to explain which they supports.

## Check the web

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[http://news.bbc.co.uk/1/hi/world/middle\\_east/6211741.stm](http://news.bbc.co.uk/1/hi/world/middle_east/6211741.stm).

<http://www.amnesty.org/en/death-penalty>

[http://news.bbc.co.uk/cbbcnews/hi/newsid\\_6210000/newsid\\_6217000/6217017.stm](http://news.bbc.co.uk/cbbcnews/hi/newsid_6210000/newsid_6217000/6217017.stm)

<http://www.newzcrew.com/webx?50@846.WBV0arUDr9o.0@.26cfee1e>

[http://news.bbc.co.uk/cbbcnews/hi/newsid\\_6210000/newsid\\_6217000/6217017.stm](http://news.bbc.co.uk/cbbcnews/hi/newsid_6210000/newsid_6217000/6217017.stm)

### Summary of key learning

- Students consider arguments for and against the death penalty through particular case studies.
- Students form their own opinion on the death penalty with reasoned argument to support their point of view.

## Resource 1 - Death penalty scenarios



### **1. The former leader of a US street-gang is killed by the state of California as a punishment for murdering four people.**

In 2005, Stanley "Tookie" Williams was given a poisonous injection 24 years after being found guilty of the killings. Celebrities including Snoop Dogg spoke out against his death sentence, saying he had learnt his lesson in prison. However, after California Governor Schwarzenegger supported the court's original decision, he was executed.

*[only read to here, then allow choices to be made]*

*[then continue]*

Some people argued that Williams was a changed man who had written eight childrens' books which aimed to stop young people joining violent gangs. Williams' lawyers said he was worth more alive than dead because of such work and argued that he had always denied the murders.

*[give pupils a chance to move if this alters their views]*

### **2. Derek Bentley hanged for murder in 1953**

Nineteen-year-old Derek Bentley was executed at Wandsworth Prison in London for his part in the murder of PC Sidney Miles. Bentley was sentenced to death for his part in the killing of PC Miles during a bungled break-in at a warehouse in Croydon, Surrey. The court was told that his co-defendant, Christopher Craig, fired the fatal shot. However, Craig was still a juvenile in the eyes of the law so escaped the death sentence.

*[hold the two points of information below back to allow pupils to alter their views in the light of new information]*

Bentley was convicted on the basis of police evidence. Three officers told the court they had heard him encourage Craig to shoot by shouting "Let him have it".

Bentley's defence claimed he was already under arrest at the time the shots were fired and was simply urging Craig to give up his gun.

### **3. Tenzin Delek Rinpoche sentence to death by China**

This respected Buddhist leader was sentenced to death in 2002. He was accused of being involved in bomb explosions in eastern Tibet, but the Chinese government has not publically produced any proof. It is likely he was targeted because of his political and cultural beliefs and activities. Tenzin Delek Rinpoche was sentenced to death with a suspension of two years between his arrest and the day of his sentencing. During this time, Tenzin Delek Rinpoche was held incommunicado.

According to reliable sources, upon his conviction he accused the court of false allegations and unfair trial proceedings before shouting "Long Live His Holiness the Dalai Lama." Chinese security officials gagged his mouth and dragged him out of the courtroom.

### **4. Saeed Masouri sentenced to death for alleged political activities**

Allegedly an activist and supporter of the People's Mojahedin Organization of Iran (an armed political group opposed to the current Iranian government), Saeed Masouri lived in Norway since 1988. He was allegedly sent to Iran in early 2001 in order to carry out a 'military mission' for the PMOI. Before he was able to undertake his mission, however, he was arrested in western Iran.

Saeed Masouri was reportedly ill-treated and tortured whilst in detention and was allegedly threatened with summary execution if he refused to make a televised confession. Amnesty International has received information stating that Said Masouri "had been under torture for a long time and has lost a lot of weight [and that] his family did not recognize him".

In June 2002, a branch of the Revolutionary Court, located in Evin prison in Tehran, sentenced him to death on various charges, including 'acting against state security', 'membership of a proscribed organization' and other security provisions. He was not allowed to choose his own lawyer and was allocated one by the court.

## 5. Ernest Ray Willis finally freed in 2004

Ernest Ray Willis was sentenced to death for the 1986 deaths of two women who died in a house fire that was ruled an arson. Willis, who was staying briefly at the house where the fire occurred, escaped from the house. Investigators believed they found an "accelerant" in the carpet. Officers at the scene of the blaze said that Willis had acted strangely and prosecutors had Willis arrested. Willis was indicted for murder and arson. Prosecutors used Willis' dazed mental state at trial to characterize Willis as "coldhearted" and as a "satanic demon." Willis' court-appointed lawyers, one of whom later surrendered his law license following drug charges, offered little defense. The attorneys spent a total of three hours with Willis and, as a result, Willis was found guilty and sentenced to death.

*[hold the information below back to allow for pupils to alter their views in the light of new information]*

Seventeen years later, a district attorney revisited the case after a federal judge overturned Willis' conviction. The district attorney hired an arson specialist to review the original evidence and the specialist concluded that there was no evidence of arson. The state's new arson specialist revealed, however, that the "accelerant" initially suspected of causing the fire was in fact "flashover burning" consistent with electrical fault fires. A judge held that the state had administered medically inappropriate antipsychotic drugs without Willis' consent, that the state suppressed evidence favorable to Willis and that Willis received ineffective representation at both the guilt and sentencing phases of his trial. He ordered the state to either free Willis or retry him. The state attorney general's office declined to appeal and prosecutors dropped all charges against Willis. The district attorney said that Willis "simply did not do the crime...I'm sorry this man was on death row for so long and that there were so many lost years." (Los Angeles Times, October 7, 2004).

## References

Scenario 1:

[http://news.bbc.co.uk/cbbcnews/hi/newsid\\_4520000/newsid\\_4525500/4525520.stm](http://news.bbc.co.uk/cbbcnews/hi/newsid_4520000/newsid_4525500/4525520.stm)

Scenario 2:

[http://news.bbc.co.uk/onthisday/hi/dates/stories/january/28/newsid\\_3393000/3393807.stm](http://news.bbc.co.uk/onthisday/hi/dates/stories/january/28/newsid_3393000/3393807.stm)

Scenario 3:

<http://ccadp.org/2tibetans.htm>

<http://ccadp.org/tenzindelekrinpoche.htm>

Scenario 4:

<http://ccadp.org/saeedmasouri-amnesty.htm> & <http://ccadp.org/saeedmasouri.htm>

Scenario 5:

<http://www.deathpenaltyinfo.org/article.php?did=2341>

(Case 120)

## Resource 2 - Student recording sheet

**Scenario 1:** Stanley Williams. In 2005, the former leader of a US street-gang was killed by the state of California as a punishment for murdering four people. Stanley "Tookie" Williams was given a poisonous injection 24 years after being found guilty of the killings.

**My view:**

**The number of people sharing my view was:**

**Scenario 2:** Derek Bentley. Bentley, aged 19, was sentenced to death in 1953 for his part in the killing of PC Miles during a bungled break-in at a warehouse in Croydon, Surrey.

**My view:**

**The number of people sharing my view was:**

**Scenario 3:** Tibetan Tenzin Delek Rinpoche. A Tibetan religious teacher, who had founded schools and been involved in charitable activities as well as in the renovation of monasteries in the area, was sentenced to death by China and has been in custody since April 2002.

**My view:**

**The number of people sharing my view was:**

**Scenario 4:** Saeed Masouri. In Tehran in 2002, Saeed Masouri received a death sentence from a special clerical court as punishment for having expressed opinions that support human rights and fundamental freedoms.

**My view:**

**The number of people sharing my view was:**

**Scenario 5:** Ernest Ray Willis. Willis was sentenced to death in Texas for the 1986 deaths of two women who died in a house fire that was ruled an arson.

**My view:**

**The number of people sharing my view was:**

For or against the death penalty

### **Resource 3 - Death penalty homework**

Consider these two quotes:

#### **Statement from Amnesty website**

‘The death penalty has no place in a modern criminal justice system. The death penalty is not an effective deterrent. Because all judicial systems make mistakes and because of its irrevocable nature, the death penalty kills innocent individuals who are wrongly convicted. The death penalty brutalises society and breeds contempt for human life.’

#### **Poet Hyman Barshay**

‘The death penalty is a warning, just like a lighthouse throwing its beams out to sea. We hear about shipwrecks, but we do not hear about the ships the lighthouse guides safely on their way. We do not have proof of the number of ships it saves, but we do not tear the lighthouse down.’

Explain which one best describes your views of the death penalty and give your reasons for that choice.

Where possible support your choice with case studies.